

## REMARKS/ARGUMENTS

### Specification

Due to the lengthy specification, Examiner has asked for Applicant's cooperation in correcting any errors of which Applicant may become aware in the specification. In response, Applicant agrees to correct any errors of which he may become aware. For example, in Claims 1 and 32, Applicant noted that "sequentially" was misspelled. Therefore, Applicant amended Claims 1 and 32 to correct the spelling to "sequentially".

### Claim Rejections – 35 USC 103

Examiner has rejected Claims 1 – 2, and 32 –33 under 35 USC 103(a) as being unpatentable over Salomaa in view of Little. Also, Examiner has rejected all other Claims under 35 USC 103 as being unpatentable over Salomaa in view of Little and other references. In response, Applicant has amended independent Claims 1 and 32. Claim 1 reads as follows:

Claim 1. A high capacity microarrayer for spotting solution onto slides, comprising:

- A) a solution removal area,
- B) a microplate stacking device for stacking microplates,
- C) a microplate indexing device for sequentially indexing microplates filled with solution from said microplate stacking device to said solution removal area and for sequentially indexing said microplates from said solution removal area to said microplate stacking device after at least some of said solution has been removed,
- D) a slide positioning station for positioning slides,
- E) a dispense head for accessing said solution removal area and for removing solution from a solution filled microplate at said solution removal area to spot a slide at said slide positioning station. (emphasis added)

Also, Claim 32 reads as follows:

Claim 32. (currently amended) A high capacity microarrayer for spotting solution onto slides, comprising:

- A) a solution removal area,
- B) a microplate stacking means for stacking microplates,
- C) a microplate indexing means for sequentially indexing microplates filled with solution from said microplate stacking means to said solution removal area and for sequentially indexing said microplates from said solution removal area to said microplate stacking means after at least some of said solution has been removed,
- D) a slide positioning means for positioning slides,

- E) a dispense head means for accessing said solution removal area and for removing solution from a solution filled microplate at said solution removal area to spot a slide at said slide positioning station. (emphasis added)

None of the references cited by examiner alone or in combination suggests the limitations of Independent Claims 1 and 32 as currently amended. Therefore, independent Claims 1 and 32 should be allowable. Likewise, all claims dependent on Claims 1 and 32 should be allowable.

#### New Claims 38 – 41

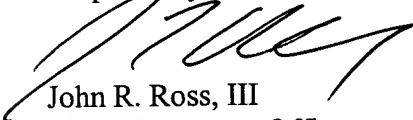
Applicant has added new Claims 38 – 41. Claim 38 contains the limitations of original Claims 1 and 3 and Claim 41 contains the limitations of original Claims 32 and 34. Examiner has stated the Claims 3 and 34 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Therefore, Claims 38 and 41 should be allowable.

Claim 39 is dependent on Claim 1. Claim 40 is dependent on Claim 32. Therefore, Claims 39 and 40 should be allowable for the reasons stated above.

#### CONCLUSION

Thus, for all the reasons given above, this application, as the claims are presently limited, define a novel, patentable, and truly valuable invention. Hence allowance of this application is respectfully submitted to be proper and is respectfully solicited.

Respectfully Submitted,



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